

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Bruce E Seyfried v Melvina L Seyfried**

Docket No. **281210**

L.C. No. **02-015578-DM**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed on October 15, 2007, is DISMISSED for lack of jurisdiction because the order of August 13, 2007, is a postjudgment order that does not affect the custody of a minor. MCR 7.202(6)(a)(i), MCR 7.202(6)(a)(iii), and MCR 7.203(A). After review of the lower court record the Court concludes that the October 16, 2003 judgment of divorce was a final order as defined by MCR 7.202(6)(a)(i). First, an order does not have to say that it resolves the last claim to be a final order. Second, the judgment of divorce did resolve the property at 3684 W Cutler Road by stating that the partition action would determine the ownership of the property. That is sufficient for purposes of adjudicating the rights of the parties in the 2002 divorce action. In fact, the present judge in the August 13, 2007 opinion and order made a statement that supports this conclusion by stating, "Although the Judgment reserves the right to revisit the division of this property if the parties' property rights were not resolved in the civil litigation, there are no unresolved interest left to determine."



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

DEC 12 2007

Date

Sandra Schultz Mengel
Chief Clerk